11/11/70

Mary, Gary,

As you know, I'm making notes on something about which I am filled with apprehension, the ego-kick on which Bud is off. This is for your information only. I am making a record only for the unwanted eventuality of the disaster than can result.

I was asked to prepare two affidavits to be filed in response to the government's spurious answer to my complaint in the clothing/pix suit, in which I am my own lawyer but Bud had agreed to counsel. These were to address two points in the answer, one really irrelevant and made for no more than nastiness by the government, but providing a wonder opportunity to clobber them and expose the fraudulent nature of their answer-whether or not they knew me as a writer- and the other on administrative remedies. After getting the request, with Bud on a jaunt to Los Angeles, which needs him like more smog, I phoned and spoke to his partner, who suggested I make each as complete as possible (pretty good judge on this case and he is having a fight with the government). I did and appear with them as scheduled Monday. They were not read, they were glanced at, and Jim said they were too long. I argued that Bill had said they should be detailed and when Bill came in and confirmed, we agreed on a compromise where I'd prepare short affidavits (Jim offered to), really bare, saying the longer ones were attached for the further information of the court, if it desired them. Thus the judge could have the minimum while he and the record could also have all the details. I sat down and immediately typed both up. Jim said he'd put them in better form and, when a decent typewriter was free, would retype. I was then to go in yesterday and go down the hall to a notary and swear to them so they could be filed. I got there yesterday at 11, Jim came in at 11:30, and no affidavits ready to swear to. Of course, Lil and I had broken our back to get these down over the weekend, not even having time to proofread them, they were completed that late Sunday night. Bud is due back today, we are due in court Monday on the spectro suit, he is booked solid for each day before that hearing, like with Isaacs tomorrow. So, unless we can do something Saturday or Sunday, we'll not have had a chance to confer on the spectro suit and it will not be until next week when I can file the affidavits, which may be too late. They were to be part of a motion Jim was to have drawn and didn't. I can't think of an easier way to loose suits that should be won. Bud had gone off into everything, in the futility of breathing some life into his stillborn, and jeopardizing everything thereby. There is little I can do about it, but Bill, who agrees with me and on his own suggests I should file more such suits (as I can, easily, if anything will be done), says he'll speak to Bud. Vanity on vanity, sayeth the preacher, all is vanity. Sincerely, MW